

REMARKS

In response to the Office Action dated June 11, 2008, Applicant respectfully requests reconsideration. Claims 1-4, 6, 10-17, 19, 20, 23-30, 32, 33, 36-39, 41-44, and 46-49 were previously pending in this application. By this amendment, claims 1, 6, 11, 13, 14, 27-39, and 41 have been amended, and new claims 50-52 have been added to further distinguish Applicants' contribution to the art. Claims 4, 10, and 23 have been cancelled without prejudice or disclaimer. As a result, claims 1-3, 6-9, 11-17, 19, 20, 22, 24-30, 32, 33, 36-39, 41-44, and 46-52 are pending for examination with claims 1, 14, 27, and 41 being independent claims. No new matter has been added. The application as presented is believed to be in condition for allowance.

Interview Summary

Applicants thank the Examiner for the courtesy of a telephone interview on August 20, 2008. During the interview, amendments to clarify "associating" a management identity and a collaboration identity were discussed. Applicants also appreciate the courtesies extended by the Examiner in initiating a subsequent phone call with Applicants' representative to discuss additional amendments to further the prosecution of the application.

Applicants understood from the conversations with the Examiner that it was agreed that such amendments would lead to allowance of the application. Accordingly, such amendments are made herein.

Rejections Under 35 U.S.C. §101

Independent claims 14 and 41 have been amended to indicate that the claimed apparatus comprises a computer. The remaining claims rejected under 35 U.S.C. §101 depend directly or indirectly from one of these claims. Accordingly, each of claims 14-17, 19, 20, 23-26, 41-44 and 46 is clearly directed to an apparatus that falls within the enumerated classes of patentable subject matter, and the rejection should be withdrawn.

Rejection Under 35 U.S.C. §112

Independent claim 1 and the claims that depend from claim 1 have been rejected because of an informality in claim 1. Claim 1 has been amended to remove this informality. Accordingly, the rejection should be withdrawn.

Rejections Under 35 U.S.C. §103

Each of the claims has been rejected under 35 U.S.C. §103 based on Flowers and at least one other reference. Though the combinations of references are different for different groups of claims, the rejections have in common that they are all based on the same flawed interpretation of Flowers. Moreover, the Office Action provides only hindsight reasoning to justify the combination of multiple references. Accordingly, for at least these reasons, all claims should be allowed.

Briefly, Flowers describes a peer-to-peer communication system. The system includes client software and two servers. One server “provides addressing and signaling services to assist in establishing peer-to-peer sessions.” The second server enables a device without peer client software to connect to a peer-to-peer session through a web browser-type interface to the server [0051, 0054]. As understood, the Office Action separates this first server with the claimed management server. However, neither server in Flower manages a peer-to-peer collaboration system in the manner claimed. As a result, there are multiple limitations of each of the independent claims that is not met by Flowers.

Independent Claim 1

As regards claim 1, the claim recites:

“(b) downloading from a management server to the client software operating in the first device *a definition file* containing a definition of a managed entity;

(c) *associating a management identity in the definition file* with the first collaboration identity or first device information in the client software operating in the first device *in order to create the managed entity*, the management identity associated with the managed entity being *different than the first collaboration identity*, the management identity allowing the first user or the first device to be identified by the management server, wherein said associating comprises incorporating information from the definition file into another file stored on the first device, wherein the definition file is an operating system registry file, and the another file is a portion of a system registry on the first device;”

The Office Action asserts that these limitations are met by the description of a list of community members in paragraph 200 of Flowers. However, there is no action in Flowers that could reasonably be interpreted as associating the list of community members with a first collaboration identity or first collaboration device in the client software to create a managed entity. To the contrary, the list contains identities that have already been created before they are downloaded. Also, it does not appear that either of the servers in Flowers is involved at all in the creation of the members on the list which further indicates the assertion that the list contains a definition of a managed entity that is used to create a managed entity as claimed.

As an additional reason why Flowers does not meet these limitations, the list of community members in Flowers appears to serve the purpose of allowing a user to collaborate with other users. Thus, it appears that the list of community members is in fact a list of collaboration identities. Thus, Flowers does not meet the limitation requiring the management entity to be different than the collaboration identity.

The Office Action asserts that each user has two identities, one being an IP address and the other being a magic number, citing two paragraphs 155 and 157. However, the magic number mentioned in paragraph 157 is described in connection with peer-to-peer communication. It is specifically indicated to be a part of a header used in a peer-to-peer transaction [0156-7]. Therefore, the “magic number” cannot be regarded as a different identity used by a management server.

Claim 1 has been amended to clarify that associating a management identity in the definition file with the first collaboration identity or first device information in the client software operating in the first device comprises incorporating information from an operating system registry file (i.e., the definition file) into a portion of a system registry on the first device. For example, if the managed entity is a managed user, information from the definition file may be incorporated into a user account file stored on the first device, and if the managed entity is a managed device information from the definition file may be incorporated into a corresponding portion of a system registry stored on the first device. As discussed above, there is no action in Flowers that could reasonably be interpreted as associating the list of community members with a first collaboration identity or first collaboration device in the client software to create a managed entity. In addition, Flowers also fails to disclose or suggest incorporating information from a definition file into another file stored on the first device.

Another limitation of claim 1 not met by Flowers is:

“(d) interacting, between the management server and the client software operating in the first device using the management identity, to exchange management information associated with operation of the managed entity in the peer-to-peer collaboration session *separately from collaborative information exchanged between the first user and the second user...*”

The Office Action asserts that the quoted portion of limitation (d) is met by paragraphs 200 and 201 of Flowers. However, those passages seem to relate only to the server's role in assisting in establishing peer-to-peer sessions [0051, 0200, 0201]. Thus, they provide no teaching of exchanging management information separately from the collaborative information, which would be required to meet the limitation.

Kimchi and Russel are cited to teach other elements of the claim. These references do not overcome any of the deficiencies of Flowers and therefore the rejection should be withdrawn for at least the reasons given above.

Independent Claim 27

Claim 27 is rejected for the same reasons as claim 1. For reasons that should be apparent from the discussion above in connection with claim 1, the server of Flowers that assists in establishing peer-to-peer sessions does not meet the limitations of claim 27 relating to a management server. These limitations include:

downloading from the management server to client software operating in the computer system ***a definition file*** containing a definition of a managed entity;
associating a management identity in the definition file with the first collaboration identity in the client software in order ***to create the managed entity***, the management identity associated with the managed entity being ***different than the first collaboration identity***, the management identity allowing the first user or computer system to be identified by the management server, wherein associating comprises incorporating information from the definition file into another file stored on the computer system; and
interacting with the management server using the management identity to exchange information relating to the managed entity within a collaboration session using the shared space...

Because Flowers does not meet multiple limitations of claim 27, and Kimchi and Russel do not overcome these deficiencies, the rejection should be withdrawn.

Independent Claims 14 and 41

Claims 14 and 41 are rejected based on Flowers and Russel. The rejection of these claims is premised on the same interpretation of Flowers used in rejecting claim 1. For reasons described above, the server of Flowers that assists in establishing peer-to-peer sessions does not meet the limitations of either claim 14 or claim 41 relating to a management server.

For example, claim 14 recites the following limitations not met by Flowers:

a download manager that downloads from a management server to the client software operating in the first device *a definition file* containing a definition of the identity of a managed entity, wherein the definition file is an operating system registry file;

a mechanism in the client software that *associates the definition* with the first collaboration identity or first device information in order to *create the managed entity*, the management identity associated with the managed entity being *different than the first collaboration identity*, the management identity allowing the first user or first device to be identified by the management server, wherein associating comprises incorporating the definition of the identity of the managed entity into another file stored on the first device, the another file being a portion of a system registry on the first device; and

a mechanism that exchanges information relating to the managed entity between the client software and the management server using the management identity, *the information relating to monitoring operation of the managed entity and/or synchronizing the managed entity with information on the management server, the exchanged information being associated with the identity of the managed entity*, wherein:

the management information exchanged comprises at least a policy restriction file, wherein the policy restriction file comprises a list of policy restrictions in the client software operating in the first device or a list of policy restrictions in the management server;

the exchange of management information is repeated; and

the apparatus is adapted to, in response to information in the policy restriction file, restrict at least one function in the client software

Claim 41 recites the following limitations not met by Flowers:

means for downloading from the management server to the client software a *definition file* containing a definition of the identity of the managed entity;

means in the client software for ***associating the identity of the managed entity*** with the first collaboration identity or first device information in the client software in order ***to create the managed entity***, the management identity associated with the managed entity being ***different than the first collaboration identity***, the management identity allowing the first user or the first device to be identified by the management server, wherein associating comprises incorporating the definition of the identity of the managed entity into another file on the first device, wherein the definition file is an operating system registry file, and the another file is a portion of a system registry on the first device;

means for ***exchanging management information*** associated with the managed entity using the management identity, the management information relating to the collaboration session, and the management information being exchanged between the client software operating in the first device and the management server, and the management information identifying an entity to which the information relates using the identity of the managed entity, wherein:

the management information exchanged comprises at least a policy restriction file, wherein the policy restriction file comprises a list of policy restrictions in the client software operating in the first device or a list of policy restrictions in the management server;

the exchange of management information is repeated; and

means for restricting at least one function in the client software in response to information in the policy restriction file

For at least the foregoing reasons, the rejection of claims 14 and 41 should also be withdrawn.

New Dependent Claims 50-52

Claim 50 depends from claim 14, claim 51 depends from claim 27, and claim 52 depends from claim 41. Each of these dependent claims patentably distinguishes over the cited art of record for at least the same reasons as its respective base claim. Accordingly, each of these dependent claims are believed to be in condition for allowance.

General Comments on Dependent Claims

Because each of the remaining claims depends from a base claim that is believed to be in condition for allowance, Applicants believe that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. Applicants do not, however, necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

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CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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